

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Sedrick Banks; Lamont Bowman; Monnie)	
Breeland; Leon Capers; Elton Clayton; Ray)	Civil Action No. 1:14-cv-02214-JMC
Crittington; Ricardo Doe; Eric Eady;)	
Antonio Ferguson; Kevin Haynes;)	
Cornelius Hightower; Richard Monroe;)	ORDER
Michael Morris; Marcel Pryor; Anthony)	
Rice; Joseph Sabb; Jerome Steward;)	
Herman Tilley; Tina Wiggins; and Randy)	
B Young;)	
)	
Plaintiffs,)	
)	
v.)	
)	
Bradely J. O’Neal; Brad Lee O’Neal;)	
Angela O’Neal Chappell; Coosaw Ag,)	
LLC; Coosaw Land, LLC; and Coosaw)	
Transport, Inc.;)	
)	
Defendants.)	
)	

Plaintiffs Tina Wiggins and Elton Clayton seek to withdraw as Plaintiffs in this matter. (ECF Nos. 51, 52.) This matter is before the court for review of the Magistrate Judge’s Report and Recommendation (“Report”) (ECF No. 58), filed on February 19, 2016, recommending that Plaintiffs be dismissed from this matter with prejudice because Plaintiffs made the decision to withdraw voluntarily, did not respond to the *Roseboro* Order and did not otherwise contact the court. The Report sets forth in detail the relevant facts and legal standards, which this court incorporates herein without a recitation.

The Magistrate Judge’s Report is made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Matthews v. Weber*, 423

U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge’s recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Plaintiffs were advised of their rights to file an objection to the Report by March 7, 2016. (ECF No. 58.) Plaintiffs filed no objections. In the absence of an objection to the Magistrate Judge’s Report, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Instead, the court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (*quoting* Fed. R. Civ. P. 72 advisory committee’s note). Furthermore, failure to file specific written objections to the Report results in a party’s waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law in the instant matter. The court **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 58). It is therefore **ORDERED** that Plaintiff Tina Wiggins and Plaintiff Elton Clayton be dismissed from this matter with prejudice. (ECF Nos. 51, 52.)

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

June 22, 2016
Columbia, South Carolina